

**HEARING DATE: April 24, 2019**  
**HEARING TIME: 1:30 P.M.**  
**LOCATION: Vancouver, Washington**  
**RESPONSE DATE: April 17, 2019**

**HEARING TIME: 1:30 P.M.**

**LOCATION:** Vancouver, Washington

**RESPONSE DATE: April 17, 2019**

In re:	Case No.: 19-40662-BDL
CELENA ANN WILLIAMS,	TRUSTEE’S OBJECTION TO CONFIRMATION WITH STRICT COMPLIANCE
Debtor.	

## BACKGROUND

TRUSTEE'S OBJECTION TO CONFIRMATION  
WITH STRICT COMPLIANCE - 1

Michael G. Malaier  
Chapter 13 Standing Trustee  
2122 Commerce Street  
Tacoma, WA 98402  
(253) 572-6600

**OBJECTION**

- ☒ Plan does not meet the best interests of creditors test as required by 11 U.S.C. § 1325(a)(4):

Debtor's plan needs to be amended to specifically commit the non-exempt proceeds from her potential personal injury claim. ECF No. 1 at 14. Debtor has amended her schedules to remove the claim without explanation and now only lists contingent insurance proceeds. As Debtor does have a potential personal injury claim, the schedules should be re-amended to disclose the claim and to claim applicable exemptions.

**WHEREFORE**, Trustee requests that the objection to confirmation be sustained and debtor be ordered to file a motion to confirm a plan resolving the issues raised herein within 14 days of entry of the Order Sustaining Trustee's Objection to Confirmation; and to set the hearing on the next available motion calendar after the 14 days expires. If the Motion to Confirm resolving the Trustee's issues is not filed and set for hearing as outlined above, the Trustee requests he be allowed to enter an order dismissing the case, *ex parte*, without notice.

**DATED** this 22nd day of April, 2019.

/s/ Mathew S. LaCroix

Mathew S. LaCroix, WSBA# 41847 for  
Michael G. Malaier, Chapter 13 Trustee

**CERTIFICATE OF MAILING**

I certify under penalty of perjury under the laws of the United States I caused to be mailed via regular mail a true and correct copy of Trustee's Objection to Confirmation to the following:

Celena Ann Williams  
7129 NE 28<sup>th</sup> Ave.  
Vancouver, WA 98665

The following parties received notice via ECF:

Ellen Ann Brown  
Lance E. Olsen  
U.S. Trustee

Executed at Tacoma, Washington this 22<sup>nd</sup> day of April, 2019.

/s/ Tracy Maher  
Tracy Maher  
Motion Coordinator for  
Chapter 13 Trustee